

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LAWRENCE D. ORVIETO,

Pro Se Plaintiff,

-against-

UNITED STATES and VA EXTENDED CARE
ST. ALBANS,

Defendants.
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**ORDER ADOPTING REPORT
AND RECOMMENDATION**
08-cv-01 (DLI) (LB)

DORA L. IRIZARRY, United States District Judge:

It appears that no objections have been filed to the Report and Recommendation of the Honorable Lois Bloom, U.S.M.J., dated July 28, 2008. Plaintiff's letter dated August 5, 2008, belatedly requesting an extension of time in which to retain an attorney does not constitute an objection to the report and recommendation. The court repeatedly admonished plaintiff that he could not represent the estate of his father. As such, he cannot now claim that he was unaware of that fact.

Upon due consideration, the Report and Recommendation is hereby adopted in full. Accordingly, it is hereby

ORDERED that this action is dismissed for plaintiff's failure to retain counsel for his father's estate despite being given repeated opportunities to do so; it is further hereby

ORDERED that the Clerk of the Court is directed to close this case.

SO ORDERED

DATED: Brooklyn, New York
September 29, 2008

/s/
DORA L. IRIZARRY
United States District Judge